

3/10

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ROANOKE CALENDAR - March 10, 2005

(The Honorable Ross W. Krumm Presiding)

Hearings by Video Conference

(Start _____ Recess _____ / _____ Stop _____ Trials: _____ Proceedings: _____)

Attys: Debtors: Case Nos.: Trustees:

11:45 A.M. - TELEPHONE CONFERENCE

(Will be conducted in Chambers at Harrisonburg)

M Hart STEVEN & TARA NEPPER 04-3588 Connelly/NS
Objection of Debtor To Claim #6 of IRS filed 11/24; # 22 and
Response of IRS (Keen) filed 12/20; # 28 - contd from prior hrg by 2/28 order

12:30 P.M. - TELEPHONE CONFERENCE

Shrader WILLIAM & MAUREEN SROUFE 04-3040 Creasy/AF
AP 05-7006: Det. Dischargeability
William Sroufe (Shrader) v. SW Student Services Corp (J.Joyce)
*Answer filed 2/11; #6 (James Joyce) for Educational Credit Management Corp/SW
Student Services with Motion to Substitute Parties d/e # 5
Originally scheduled at 3 p.m.; order entered 3/9/05 rescheduling via telephone
conference at 12:30 p.m.; #8

3:00 P.M - MISCELLANEOUS

(Judge Krumm will be at Roanoke - no Video connections required)

Bowman VERONICA ZIELENSKI-CH7 7-04-02731 McLean
AP7-04-00100: Determine Lien; Debtor v. Weitz & Luxenberg, P.C. (Goldstein); pre-
trial (Continued from 11/9/04)
Answer filed by Weitz & Luxenberg (Goldstein); #4

Palmer ANGELA WEBB-CH7 7-03-03562 Krippend/SJ
AP04-07109: Recover Money or Property; Trustee v. Debtor and Alena Sehnal ();
pre-trial contd from 12/9

RWK 3/10 - 3:00 p.m.

M. Hart	FRANKLIN MONSOUR-CH7	7-96-03575	<u>reopened/SL</u>
	AP7-04-00071: Recover money or property; Debtor v. Martha Monsour (Krippendorf*); pre-trial; Defendant's Motion to Dismiss and Motion to Extend Time to File Response (<i>Continued from 10/7/04</i>)— <i>CONTD from 12/9</i> <u>*Response filed 11/19; #10</u>		
Hart	BEN LEE	04-244	Connelly/JJ
	Motion for Relief - filed 2/3; # 29, by National City Mortgage (Sasser) <u>Answer filed 2/3; # 28</u>		
Giles	JOSEPH LEE III	04-2269	McLean
	AP 04-7144: Obj to or Revoke Discharge; <i>ptc contd from 3/10</i> U. S. Trustee (J.Guzinski) v. debtor <u>Answer filed 1/31; # 8, Ord of 1/25 extended time to file answer to 1/31.</u>		
Bowman	GARY FOBARE-CH7	00-1389	Creasy/NS
	AP 00-00197: Recover Money or Property: Trustee v. Universal Freight Systems Inc (Hopkins) <u>—Motion of Trustee/Plaintiff for entry of Default Judgment - proposed order tendered 3/11, # 85</u>		
Bowman	MICHAEL TROY LOGAN	04-01165	Creasy/SL
	AP 04-7130: Det dischargeability— <i>pre-trial contd from 1/6 & from 3/10</i> Debtor (Bowman) v. Virginia Metal Services Inc (W. C. Smith) <u>Motion to Dismiss AP & for Sanctions filed w/Answer on 2/17; # 6, and notice #7</u>		
Janney	ELAINE ENGLISH	04-3492	Connelly/NS
	Motion for Relief - filed 2/15; # 38, 39, 40, 41 by Citifinancial (Zimm) <u>Response filed by debtor 2/24; # 43</u>		
M Giles	DICEY & PAMELA FRANCE	04-3774	Connelly/SL
	Motion for Relief - filed 2/10; # 38, 39, 40 by First Mortgage Strategies Group (Sasser) <u>Response filed by debtors 2/15; #41</u>		
Hileman	ERNEST & COLLEEN MORRIS	04-74666	Connelly/SL
	Motion for Relief - filed 2/11; # 19, 20, 21, 23 by Green Tree Servicing LLC fka Conseco Finance Corp (McQuiddy)		

RWK 3/10 - 3:00 p.m.

Bowman	WILLIAM & BELINDA WELCHER AP 05-7002: Validity,priority & extent of lien Debtor v. Citifinancial Services Inc <u>Answer filed 3/4; # 4 (Brian Kenney)</u>	04-74262	Connelly/SJ
Shrader	WILLIAM & MAUREEN SROUFE AP 05-7006: Det. Dischargeability William Sroufe (Shrader) v. SW Student Services Corp (J.Joyce) <i>*Answer filed 2/11; #6 (James Joyce) for Educational Credit Management Corp/SW Student Services with Motion to Substitute Parties d/e # 5</i> <u>Originally scheduled at 3 p.m.; order entered 3/9/05 rescheduling via telephone conference at 12:30 p.m.; #8</u>	04-3040	Creasy/AF
M. Hart	DEBORAH MORGAN-CH13 <i>(Male debtor case severed** see below)</i> Debtors' Objections To: Claim #8 of Premier Bankcard filed 1/6; #50, 52 <u>-Order disallowing claim # 8 on 2/11</u> Claim #17 of Capital One Bank filed 1/6; #51, 53 <u>-Obj to Claim # 17 RE-FILED on 2/10 as d/e # 62, & renoticed to 4/13 @ 9:00</u>	04-01529	Connelly/VS
**Palmer	MILTON MORGAN Motion for Relief - filed 2/17; # 18, 19, 20 by Chase Home Finance LLC successor to Chase Manhattan Mortgage Corp (S. White) <u>-Motion Terminated 3/7/05 \$150.00 fee due 2/28/05 and not paid; #21</u>	04-75051	Vogel/JJ
M Giles	DONALD & PATRICIA HAYNES Motion to Approve Compromise: debtors' interest in Flowers Bakery Delivery Route filed 1/18; #23	04-3087	Allen/GR
M Hart	SHIRLEY SPROUSE Motion of Debtor v. Selective Portfolio Servicing et al: Sell Property free & Clear of Liens (905 Delaware St.,Salem VA) filed 1/25; #31 <i>(Note: Trustee Motion to Dismiss Case filed 1/25 set for hearing 3/15/05 at 11 a.m.; #30)</i>	0-4-2646	Connelly/JJ
M Hart	RICHARD PEREZ Motion for Relief and Co-Debtor Relief: filed by EMC Mortgage Corp (Sasser) On 1/26; #34, 37 <u>Response filed 1/25; #33 - contd from 3/10</u>	04-74196	Connelly/NS

RWK 3/10 - 3:00 p.m.

Janney SHIRLEY CROOK 05-74864 Connelly /SJ
AP 05-7008: Complaint to have Deeds of Trust Reformed - *contd ptc from 3/10*
Debtor v. BB&T

AP 05-7009: 498 (Other Action)
Debtor v. Bryan and Lisa Young ()
-Motion for Default & Proposed order filed w/clerk's office 3/8

Allen DAVID ROBINSON 04-74961 Allen/SJ
Motion for Relief - filed 2/2; # 12, 13 14, 15 filed by Daimler Chrysler Services
NA LLC (Higgs)
-Default Order entered 2/23/05

Hileman KEVIN & DORIS DE HART 04-74723 Allen/SO
AP 05-07001: Det. Dischargeability
Prices Body Shop Inc (Neyhart) v. debtors
-ORDER withdrawing Adv. Proc. Entered 1/26

Shrader REBECCA LAWSON 03-3822 vOGEL/so
AP 05-7003: Validity/Priority/Extent of Liens
Debtor (Shrader) v. Household Finance Corp (); Chase Manhattan
Mortgage Corp() & Homeq Servicing Corp ()

--Motion of HomeQ Servicing to Dismiss AP or for Summary Judgment
& Memorandum of Law in Support thereof filed 2/25, #5, 6

Default Order presented via E-Orders 3/9/05

M Giles ANTHONY LEE & CYNTHIA LEE 03-3533 Creasy/AF
dba Handy Andy's Computer Services
USC707(b) Motion of U. S. Trustee to Dismiss case w/memorandum in support
thereof, filed 1/28; #50 (Guzinski)

McLean PAMELA JOHNSON 04-3685 Vogel/NS
Motion of Creditor, Kimberly Paulette Buchanan (Magee) to Extend Time to file
Complaint re: Discharge/Dischargeability of certain debts filed 1/28; # 45

RWK 3/10 - 3:00 p.m.

Pro se	FRANK FARRIER JR dba Mountain Investments Ltd Motion of Creditor, Kimberly Paulette Buchanan (Magee) to Extend Time to file Complaint re: Discharge/Dischargeability of certain debts filed 1/28; # 19, 20	04-3653	Creasy/SJ
McLean	TED JOHNSON JR dba Mountain Investments Ltd Motion of Creditor, Kimberly Paulette Buchanan (Magee) to Extend Time to file Complaint re: Discharge/Dischargeability of certain debts filed 1/28; # 64, 65, 66 <u>Order entered granting motion and cancelling hearing</u> Motion for Relief from Stay w/ Select Portfolio Servicing(Hildebeidel/Huebschmann) filed 12/30 #48 <u>Response of Trustee (Vogel) filed 1/8; #55 – contd from 2/10</u>	04-3654	Vogel/SJ
Palmer	CHRISTOPHER MILLER (Discharge granted 2/15; # 49) Motion for Relief - filed 1/31; # 36, 37, 38 by Lehman Brothers Bank (Bierman) Motion for Relief - filed 2/15; # 48, 52 by Mortgage Lenders Network (Stewart) Motion for Relief - filed 1/18, #18, by Washington Mutual(Sasser), cont from 2/10 <u>–Order continuing hearing 2/17/05; #53</u> Motion for Relief - filed 1/19; #20, by Washington Mutual (Stewart/C. Patterson) <u>–Order entered 2/16/05 resolving motion; #51</u>	04-74733	Creasy/AF
Shortt	WAYNE JUDKINS Motion for Relief - filed 1/31; # 15 to #19; by Honda Financial Services (Higgs) <u>–Order of 2/16 granted motion</u>	05-70032	Wick/AF
McLean	ELAINE CAUDILL Motion for Relief - filed 2/2; # 62, 63, 64, by JP Morgan Chase Bank (Sasser) <u>–Order of 2/17 granted motion</u>	04-240	Allen/AF
<u>RWK 3/10 - 3:00 p.m.</u>			
Ludwig	GLENN DAVIS Motion to convey property filed on 2/7 #43	03-04288	Connelly/NS

Shrader	DENISE WALTERS	04-75123	Vogel/SO
	Motion for Relief from stay filed by Wells Fargo Home Mortgage(Sasser) #7 <u>-Order of 2/8 modified relief</u>		
Krippend.	DANNY & LORI ANNE HALE-Ch13	02-3335	Connelly/AF
	Motion for Relief: EMC Mortgage Corp (Rosenberg/Boylan) v. debtors and trustee #50 – <i>contd from 2/10 & 3/10</i>		
Bowman	DWAYNE & DEBORAH BISHOP - Ch 13	04-1207	Connelly/JM
	Motion for Relief; US Bank Nat'l Assoc (Bierman/Boylan) filed 11/26; d/e #37,39 Motion/Order for Extension: #38, 41 <i>-contd from 2/10</i> <u>Consent Order to be tendered within 15 days per 3/09/05 fax</u>		
R. Foster	STRUCTURE INVESTMENTS, INC.	04-03960-WSR	Krippendo/SJ
	Motion for Relief from Stay w/BBT filed 12/20 #12 Recusal order entered 12/23 #15 - <i>contd from 2/10 & 3/10</i>		
P Brown	WILLIAM & PENNY LONG	03-3358	Connelly/SJ
	Motion for Relief - #47, filed by Chase Manhattan Mortgage (Sasser) <u>Response filed 1/10; #48 – contd from 2/10</u>		
Vita	CYNDY EUBANK	04-75135	Vogel/AF
	Motion for Relief - filed 1/10; #7, 8, 9, by National City Mortgage Co (Sasser/Boylan) <u>Response of Trustee filed 1/19; #13 (Vogel)</u> <i>-contd from 2/10 & 3/10</i>		
R. Foster	STRUCTURE INVESTMENTS, INC.	04-03960-WSR	Krippendo/SJ
	Motion for Relief from Stay w/BBT filed 12/20 #12 Recusal order entered 12/23 #15 - <i>contd from 2/10 & 3/10</i>		
M Giles	PHYLLIS GILBERT	02-2076	Connelly/SL
	Motion for Relief - filed 1/11; #36, 37, 38 by Vanderbilt Mortgage & Finance (Maxwell/King) <u>Response filed by debtor 1/18; #40</u> <u>Response (amended) filed by debtor 1/21; #41</u> <i>-contd from 2/10 & 3/10</i>		

RWK 3/10 - 3:00 p.m.

Lewis, M	JEFFREY & SANDRA SUTPHIN	04-74138	Connelly/AF
	Motion for Relief - filed 1/18; #33, 34, by Wells Fargo Bank NA (Sasser/Boylan)		

Answer of Debtor filed 1/31; #37
-ORDER of 2/24 dismissed motion

Bowman ROY BANE 02-2506 Allen/S
AP 02-84: – Status & Showcause why AP should not be dismissed
Debtor & Trustee (Allen) v. Affordable Efficiencies Inc (R.Foster)
-ORDER of 3/8 approved cash compromise; trustee after receipt of pmt will move to dismiss AP, d/e # 35 cancels hearing

Motion of Trustee, Charles Allen, to approve compromise filed in case file 2/9; #107
-ORDER of 3/8, #108 approved cash pmt compromise

****Objection filed 3/9/05 by debtor by counsel to Motion to Approve Compromise****

Delafield KENNETH & WINSOR ST. CLAIR 04-1386 Connelly/GR
Motion for Relief - filed 1/19; #72 to 76: Washington Mutual Bank (Patterson/Callahan)
Answer to Motion filed by debtors 2/1; # 78
-AGREED order of 2/16 denied relief

Bowman PATRICIA QUESINBERRY-CH7 7-04-03249 Creasy/JJ
AP04-07119: Dischargeability; pre-trial *contd from 12/9 & 2/10*
Chase Manhattan Bank (Huebschman) v. Debtor; pre-trial - *contd from 12/9 & 2/10*
–Pltf Mot for Default Judgment (Huebschman) 12/03/04; d/e #10,9 -
–Defendant filed Answer & Motion to file late answer 12/10; #11
–*if resp.to disc not filed by 2/25, mfsj will be granted.*
Order entered 3/3/05 granting default judgment; #17

Shankman CHRISTOPHER TILLER 04-74694 Creasy/NS
Motion for Relief - filed 1/12; #7, 9, 9 by Chase Home Finance LLC (Sasser/Boylan)
Answer & Statement of Adequate Protection filed by debtor 1/1; #11 - contd from 2/10

Shankman JACKIE & ROBIN AKERS 05-70244 McLean/JJ
Motion for Relief - filed 2/19; # 11, 12, 13 by First Indiana Bank (Moore)
Movant's Certification filed 2/23 #15
-Order Circulating (already signed by counsel for plaintiff & debtors) per 03/08/05 fax

Geddes JOHN SMITH 04-75073 Vogel/SL
Motion for Relief - filed 2/10; # 9, 10, 11, 12, by Green Tree Servicing LLC (Smith)
-Order (Default) of 2/25 granted relief

RWK 3/10 - 3:00 p.m.

M Giles KEVIN & SHERRI HARLESS 04-2706 Connelly/JM
Motion for Relief - filed 2/10; # 32, 33, 34, 35 by Wachovia Bank of Delaware (Rosado)
-Ord of recusal to Judge Stone - rescheduled hearing 3/14 @ 11:00

Goldstein	BARBARA BRANDT	04-3810	Connelly/JM
	Motion for Relief - filed 2/10; # 26, 27, 28, 29, by Fremont Investment & Loan (Rosado) <u>Response filed 2/21; # 32, 33 ; respondent's certification filed 3/7; # 34</u>		
M Hart	EDWARD & EUGENIA FLAHERTY	04-1436	Connelly/AF
	Motion for Relief - filed 2/14; # 26, 27, by SunTrust Bank (Zimm) <u>-Order of 3/7 dismissed motion</u>		
Shelor	MICHAEL & JANICE ASBURY	04-74039	Vogel/AF
	Motion for Relief - filed 2/14; # 39, 40, 41,44 by Branch Banking & Trust (D.Kirkpatrick) <u>Response filed 2/18; # 47 - Hearing rescheduled to 3/15 @ 10:00</u>		
Shankman	BILLY & DELAINA GALLIMORE	02-2619	Connelly/SO
	Motion for Relief - filed 2/14; # 33, 34, 35 by Sun Trust Bank (Zimm) <u>Answer filed by debtor by counsel 2/21 #37</u>		
M Hart	ATTIC DOLLMAN	04-4009	Connelly/JM
	Motion for Relief from Stay <u>and Co-Debtor Stay</u> , filed 2/14; # 33, 34, 35 by Wells Fargo Bank c/o Option One Mortgage Corp(Bierman) <u>Answer filed 3/1; # 39</u> <u>Order to be tendered within 15 days withdrawing motion per 3/9/05 fax</u>		
M Hart	DEBRA ROBERTSON	04-74244	Connelly/JJ
	Motion for relief - filed 1/19; # 21 -24; LaSalle Bank c/o Option One Mortgage Corp (Bierman/Callahan)- <i>contd from 2/16-order contg due 3/3; not tendered as of 3/9/05</i>		
R Hart	JAMES & MARY HALE	02-1327	Connelly/VS
	Motoin for Relief (7059 Starlight Lane, Boones Mill,VA) filed by Chase Home Finance LLC (Rosado/Boylan) filed 1/26; # 44, 45, 46 <u>Response of Debtors filed 2/3; # 48 - <i>contd from 2/16 & 3/10</i></u>		

RWK 3/10 - 3:00 p.m.

Bowman	TRINDA REDMOND	04-1166	Connelly/SL
	Motion for Relief - filed 2/16; # 52, 54 filed by Suntrust Mortgage & Va. Housing		

Development Authority (Barry)
Answer to Motion filed 2/23; # 58, by Master Financial Inc (James Clarke)
Response to Motion filed 3/9 by debtor by counsel; #59

Motion for Co-Debtor relief filed 2/16; #53, 55

M Giles	ERNEST MEADOWS Motion for Relief - filed 2/17u; # 30, by Citimortgage Inc (Sasser)	03-2214	Connelly/LM
Ludwig	CINDY SPARKS Objection of Trustee to Debtor Claim of Exemptions filed 1/21, #9, 10 <i>contd from 2/15</i>	04-74838	Krippend/AF
Delafield	SHEILA MUBEIDIN Motion for Relief - filed by Homecomings Financial Network on 1/25; #13, 14, 15 (Boylan) - <i>contd from 2/15</i> <u>Response filed 2/4; # 18</u>	0-5-70014	Connelly/LM
Krippend.	JOHN & PAMELA OSBORNE Motion for Relief - filed 2/16; # 9, 10, 11 by HomeComings financial Network servicing agent for Beneficiary of Record, (McQuiddy)	05-70381	Creasy/GR
Magee	KGK LLC & GREGG KUHN AP 05-7005: Application/Notice for Removal - Pre-Trial Burnt Chimney Properties Inc (Beck) v. debtor -- <i>Motion to Dismiss AP/Memorandum in Support thereof/ANSWER filed 2/15; # 8(Magee)</i> -- <i>Response to Motion to Dismiss filed 2/14; # 10 (Beck)</i> -- <i>Reply to Notice & Certif of Mailing filed by Debtor's counsel 2/15; # 9</i> -- <i>hrq was held on 2/10: matters under advisement re: motion to dismiss AP</i>	04-74550	
M. Hart	HAROLD AND JANET ARMEL Motion for Relief filed by M&T Trust Co.(Bierman/Boylan) 2/17 #92,93 <u>Response filed by debtor by counsel 2/22 #95 - contd from 3/10</u>	01-04908	Connelly/JM
Janney	JOSE & ROBIN ROLON Motion for Relief - filed 2/18; # 64, 65 by Suntrust Bank (Barry) <u>Response filed 2/28; # 67</u>	02-4152	Connelly/JJ

RWK 3/10 - 3:00 p.m.

Olinger (deceased)	WALTER & AMY DAVIS	02-590	Connelly/NS
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Motion for Relief - filed 2/17; # 38, 39,40, 41 by Washington Mutual Bank FA
(Stewart/Scott)

Answer filed by debtor by counsel 2/22 #42

Bowman RONALD LEE PRICE 04-74795 Krippendorf/NS
Motion To Extend Complaint Deadline by U.S. Trustee filed 2/22 #17

Montgomery DAVID CREED 05-70368 Creasy/SL
Motion for Relief - filed 2/24, # 6, prehrd ord. Entered 2/25; # 7, by
PolyScientific Employees' Federal Credit Union (Hamrick)
Order entered (paper) and in mail 3/9/05 to Roanoke Clerk's Office

M Hart JANICE HOOD 04-74054 Connelly/SJ
Motion for Relief - filed 12/16; #14 - by James Emery, et als (Fred Harman) v.
Debtor; Melvin Chinault and Trustee,
Answer filed 12/28; # 20 – contd from 3/1 tel. Conf by 3/7 ord, #27

Creasy ENVISION AUTOMATION INC 03-537 Krippend/AF
Trustee Compensation Application filed 2/23; # 49, 50 – **WFS case; RWK date?**
-- rescheduled to 3/14 @ 2:00 p.m.